

**BOARD OF COUNTY COMMISSIONERS  
LEWIS COUNTY, WASHINGTON  
BOARD MEETING MINUTES  
April 20, 2009**

The Board of County Commissioners for Lewis County, Washington met in regular session on Monday, April 20, 2009, at 10:00 a.m. **COMMISSIONERS RON AVERILL, and P.W. SCHULTE** were in attendance, **Chairman Grose** was absent. **Vice Chairman Averill** determined a quorum, called the meeting to order and proceeded with the flag salute. **Commissioner Schulte** moved to approve the minutes from the 10:00 a.m. meeting held on Monday, April 13, 2009. **Vice Chairman Averill** seconded.

Motion carried 2-0

<b>Public Comment</b>
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Dorothy Lund, Toledo, WA, is concerned with the health hazard at Exit 59. The gas station at that exit does not have restrooms. Therefore people use the nearby fields as a restroom. She has talked to the Health Department about this hazard.

**Vice Chairman Averill** stated he understands Ms. Lund's concerns and knows there is a problem at that location. He asked Kathleen Eussen, Health Director to talk to Ms. Lund about her concerns.

<b>Notice</b>
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**Commissioner Schulte** made a motion to approve Notice Item one. **Vice Chairman Averill** seconded the motion. Vice-Chairman Averill, read the proclamation into the record.

**1. Proclamation: Proclaiming April 19-25, 2009 as National Volunteer Week in Lewis County.**

**Susan Lameroux** thanked the Commissioners for the proclamation. She noted there would be a Volunteer Fair on April 21<sup>st</sup> from 4-6 pm at the VR Lee Building in Chehalis. She encouraged people to attend to learn how they could volunteer in the community. Motion carried 2-0

<b>Consent</b>
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**Commissioner Schulte** made a motion to approve Consent Items two and three. **Vice Chairman Averill** seconded the motion. Karri Muir, Clerk of the Board, read the items into the record.

**2. Resolution No. 09-114      Re-appointments to the Developmental Disability Advisory Board.**

**3. Resolution No. 09-115     Approving an inter-local agreement with WA State Department of Natural Resources for purchasing digital aerial orthophotos.**

**Item #1-Kathleen Eussen, Health Department** stated the Developmental Disability Advisory Board plans for citizens with disabilities in Lewis County. Gini Zamudio, Patti Nelson, and Nancy Keaton will be re-appointed to the board with terms ending in March 2012.

**Item #2- Larry Unzleman, Public Works,** stated this resolution is to acquire aerial orthophotos from DNR. DNR takes aerial pictures every five years. The last time we purchase orthophotos was in 2003. These photos are beneficial to Public Works and they benefit other departments as well. The cost of the project is \$31,500.

**Vice Chairman Averill** stated last time the County purchased photos it was \$12,000 more. This is because technology has gotten better and made things less expensive.

Motion carried 2-0

<b>Hearing</b>
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**Hearing**

**1<sup>st</sup> 2009 Budget Hearing**

**Vice Chairman Averill** announced the hearing and asked for a staff report.

**Dawna Truman, Budget/Fiscal Services Director,** presented the first 2009 budget amendment. The public hearing notice was published in the East County Journal on April 8th and April 15th. She reviewed a summary of changes affected by the budget amendment. She noted that details and a description of each change were available at the front of the room.

**Supplemental appropriations** for Current Expense in the amount of \$79,174 and other funds for \$56,713 are being made as new revenue sources, such as grants and donations have been received for specific programs. We are increasing both the revenue and expenditure budgets.

Examples of these changes include:

- **Clerk:** Increasing revenues and expenditures in the amount of \$6,055. Funds were received in February 2009 from the State Administrative Office of the Courts (AOC) for the purchase of seven computers and monitors.
- **Sheriff:** Increasing revenues and expenditures in the amount of \$10,000. Lewis County Sheriff's Office received a restricted donation from United Way of Lewis County for the purchase of a trailer and emergency supplies to be used in any future disasters.

**Emergency appropriations** consist of moving previously received funds from the fund balance in order to legally spend it. As the previous years' budget expires each year on December 31, it is necessary to estimate contracts and project costs through the end of the year. These estimates are then adjusted in the first budget amendment of the current year.

This amendment includes such adjustments for Current Expense in the amount of \$168,148 and Other Funds for \$2,422,030.

Examples of these changes include:

- **Jail:** Increasing expenditures in the amount of \$48,848. Funds for the State Criminal Alien Assistance Program (SCAAP) award were received in December 2008. Money will be used to increase the Jail Prisoner Care overtime budget.
- **Land Acquisition:** Carry forward 2008 budget in the amount of \$20,000 for the HR/Risk remodel.
- **Capital Facilities Plan:** Carry forward \$2,000,000 of project budgets from 2008. These funds will be used for ongoing projects for Juvenile, Coroner/Evidence, James Bldg, Facilities renovation and technology projects.

**Noticed amount \$2,587,548**

<b>Changes -</b>	(\$11,500)	WSU Extension-removal of grant
	\$28,060	Grant for Sherriff's Office
	(\$14,760)	Transfers-removal of transfer to Health
	(\$14,760)	Health-removal of transfer in from Current Expense
	\$20,057	Health-Blue Ribbon
	\$25,000	CFP-ASCEND Hardware
	\$106,420	CFP-Historical Museum

**FINAL AMENDMENT FOR ALL FUNDS \$2,726,065**

**Vice Chairman Averill** thanked Ms. Truman for explaining the budget process so everyone could understand it. He then noted that we are not spending money we do not have. We are using money that has been carried over from previous years, which is a normal process. We do budget amendments three to four times a year as the needs warrant it.

He asked if there were any more questions. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

**Ms. Truman** asked that her previous comments be adopted into the record.

**Vice Chairman Averill** asked if there was anyone who would like to speak for or against the budget amendment. He then stated that we are fortunate in Lewis County that we have a dedicated budget staff that keeps our budget in line. We receive good advice from the Treasurer, Auditor and our Budget Staff to keep us straight. He then closed the hearing and asked for a motion to approve Resolution No 09-116.

**Commissioner Schulte** moved to approve Resolution No. 09-116. **Vice Chairman Averill** seconded the motion.

Motion carried 2-0

**Vice Chairman Averill** announced the hearing and asked for a staff report.

**Barb Kincaid, Community Development** stated there would be two hearings today. One will be a resolution that proposes to amend the LC Comprehensive Plan maps and some text in the land use element. The second will be to take testimony on Ordinance 1205 to amend the official Lewis County Code zoning maps.

The issue before the Board today is the result of a compliance issue, raised with the Western Washington Growth Management Hearings Board (WWGMHB). In 2007 as part of our yearly Comprehensive Plan Amendments we amended our comprehensive plan and zoning maps by Resolution 07-359 and Ordinance 1198. These enactments changed the UGA boundaries for the Mossyrock, Toledo, Napavine, and two LAMRIDS one located in Ethel and at the Curtis Rail Yard. Upon citizen appeal to the WWGMHB the board issued a final decision and order. They found that the Toledo and Napavine UGA Boundaries and the Curtis Rail Yard action were not compliant with the Growth Management Act. Additionally the GMHB found that we had some text in our Comprehensive Plan, in the land use element regarding the Birchfield Fully Contained Community (FCC). We did not add a build out population number in the text. There is also a table with acreage totals (Table 4.1) that they found was not in compliance because it was not up to date. Therefore this morning we propose Resolution 09-117, which will revise the 2007 enactments for the Napavine UGA boundary from approximately 612 acres to approximately 400 acres. This also adopts a revised use analysis to support that acreage total. Additionally it will reduce the 2007 enactment of the expanded Curtis Rail Yard LAMRID to its pre-2007 designation in the Comprehensive Plan map. Text will be changed to include Birchfield build out population at 6300 and we are also proposing striking Table 4.1 in the land use element, because the acreage total changed and it is not practical to keep that in the Comprehensive Plan.

**Vice Chairman Averill** asked what was in Table 4.1.

**Ms. Kincaid** stated it is a table of the associated acreages with different land use. It kept track of the acreage for the cities, and the UGA boundaries.

**Vice Chairman Averill** stated we go through a process every year with the incorporated areas to determine what changes they want to their UGA's. Then we submit this once a year to the GMHB. In this particular submission, changes were named off and the GMHB accepted the changes for Mossyrock and Ethel. The GMHB came back to the County on Toledo, Napavine and Curtis Rail Yard and added Birchfield. He stated Toledo had not been discussed and asked what was happening with that.

**Ms. Kincaid** stated the time span between the enactment of the resolution and the implementing ordinance and the GMHB decision; the City of Toledo annexed that UGA. Now it is not within the County's jurisdiction to revise that.

**Vice Chairman Averill** stated that we go through a process of creating UGA's, which is a twenty year build out of what a city will want to expand their borders to, in that process they have to come in and annex the property before it becomes part of the city. Being a UGA doesn't make it an automatic process. The annexation process doesn't go through the GMHB because it is already in the UGA. Toledo actually has two separate actions that took place: 1. A UGA action. 2. An action that goes through the Boundary Review Board, a board which the Governor establishes. Counties which choose to use that system create Boundary Review Boards. We did this in Lewis County and so this went through a process of actually approving the annexation to the City of Toledo, which made the UGA process no longer applicable. He asked why we reduced Napavine's request for 600 acres to 400 acres.

**Ms. Kincaid** stated that Napavine's original petition for UGA expansion in 2007 was about 600 acres with the documentation for the needs analysis's for that acreage total. The City went back and based on what the GMHB had to say, revised that needs analysis's and resubmitted to the County an acreage total supported by that analysis's of about 400 acres.

**Vice-Chairman Averill** asked if this was done on a projected population in a twenty year period and the density to which they want to plan.

**Ms. Kincaid** stated that was correct. She also noted there were two parts to the needs analysis's that the GMHB did not agree with as being supportable. Those were the housing density per acre, and the market factor used by the City for land development in the future.

**Vice Chairman Averill** asked if the Curtis Rail Yard was going back to the original 2007 submission. He asked if GMHB didn't approve the first submission, wouldn't the plan be correct.

**Ms. Kincaid** stated we enacted a change to our comprehensive designation and our land use maps, and the ordinance. Lewis County actually acted to change that and now we have to act to change it back and the area that will no longer be the LAMRID will revert back to the original RDD-5 zoning.

**Vice-Chairman Averill** stated we decided the Birchfield population already and asked if we forgot to put it into the documentation?

**Ms. Kincaid** stated it wasn't until the Planned Growth Committee determined that additional 3,000 in population was an allocated figure pending the completion of the Birchfield designation. That hasn't formally occurred yet. When the Planned Growth Committee actually allocated that unallocated population, it triggered some interest at the GMHB level that was not compliant with regard to our language in the Comprehensive Plan.

**Vice Chairman Averill** stated he wouldn't characterize the land as unallocated because it was allocated to the County, so we had to reduce the County's number in order to raise Birchfield's number.

He asked if there were any more questions from the Board or from the audience. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

**Ms. Kincaid** asked that her previous comments be adopted for the record.

**Vice Chairman Averill** asked Andy Lane to testify.

**Andy Lane, Cairncross and Hemplemann, on behalf of the City of Napavine**, stated the GMHB had a couple of problems with the cities needs analysis's that was adopted by the County. Napavine fixed those by changing how the City went about doing the calculations and the other was the market supply factor that the City used and assuming what lands were not going to be available for market reasons. Another thing Napavine addressed was densities; they took a city wide and UGA wide assumed density of four units an acre on the revised needs analyses. That calculation resulted in a new UGA demand and that new demand is what the City provided to the County in January. This analysis was also based in the City's ability to serve this area. In 2007 when the County adopted the UGA, the County based it in part on the City's UGA petition. He provided a copy of this petition for the record.

**Ms. Kincaid** submitted a letter of support from CTED on the Napavine revised UGA expansion.

**Vice Chairman Averill** pointed out that this process that we do for UGA expansion goes through quite a few filters before it comes the Board of County Commissioners for approval. The Planned Growth Board consists of the County and representatives from the nine incorporated areas in the County. This board starts this process around this time of year, if there are requests for area expansion. Aiming toward the expansion, getting approved first by the Planned Growth Committee then going to the Planning Commission and then to the Board of County Commissioners. The County may only submit one change annually and that occurs in January, so we try to get the process done by December of each year. The reason that we are hearing this off cycle is that we had objections by the GMHB with part of our submission and this is providing corrections. He thanked all the people involved in this process and feels we are getting closer to getting it right on the first round.

He closed the hearing and opened the workshop to adopt Resolution No. 09-117.

**Commissioner Schulte** moved to approve Resolution No. 09-117. Vice Chairman Averill seconded the motion.

Motion carried 2-0

## **Hearing**

## **Ordinance1205 Amending Zoning Maps**

**Vice Chairman Averill** announced the hearing and asked for a staff report.

**Barb Kincaid** stated Ordinance 1205 implements the resolution that was just passed. The resolution amends the land use designation and the ordinance will change the

official zoning maps found in Lewis County Code 17.200. This Ordinance will rezone the Napavine UGA those areas we withdrew from the 2007 UGA would be zoned RDD-5. It would also change the zoning of the Curtis Rail Yard LAMRID back to the 2007 land designation and those areas that are being removed would be zoned RDD-5 in the official zoning map.

Questions were raised if the official zoning maps would be signed by the Board. **Glenn Carter** had the Commissioners sign the new zoning map for Napavine.

**Vice Chairman** asked if there were any other questions from the Board or the Audience. There were none. He closed the question and answer portion of the hearing and opened the formal hearing.

**Ms. Kincaid** asked that her previous comments be adopted into the record.

**Andy Lane** asked that his comments on Resolution 09-117 be adopted into the record for Ordinance 1205.

**Vice Chairman Averill** closed the hearing and opened a workshop to adopt Ordinance 1205.

**Commissioner Schulte** moved to adopt Ordinance 1205. **Vice Chairman Averill** seconded the motion.

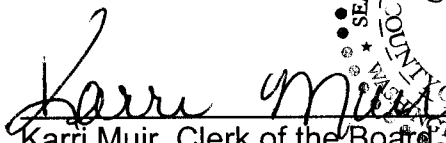
Motion carried 2-0

There being no further business, the Commissioners' public meeting was adjourned at 10:45 am, on April 20, 2009. The next public meeting will be held Monday, April 27, 2009, at 10:00 a.m.

Please note that minutes from the Board of County Commissioners' meetings are not verbatim. A recording of the meeting may be purchased at the Commissioners' office.

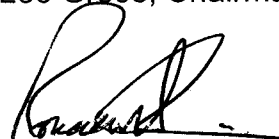
BOARD OF COUNTY COMMISSIONERS  
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ATTEST:

  
Karri Muir, Clerk of the Board  
Lewis County Commissioners



  
F. Lee Grose, Chairman

  
Ron Averill, Commissioner

  
P.W. Schulte, Commissioner